

Cote, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

1/5/12

IN RE APPLICATION OF YAHOO! INC.

09 Civ. 7760 (DLC)(MHD)

Related to

UNITED STATES OF AMERICA,
Plaintiff,

41 Civ. 1395 (DLC)(MHD)

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,
Defendant.

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, on November 1, 2005, the American Society of Composers, Authors and Publishers ("ASCAP") applied to this Court for the determination of reasonable license fees to be paid by Yahoo! Inc. ("Yahoo!") for periods commencing July 1, 2002 (ASCAP's Application); and

WHEREAS, during the course of this proceeding, Yahoo! was ordered to post a supersedeas bond; and

WHEREAS, the parties have reached a complete settlement of the issues raised in this proceeding;

IT IS HEREBY ORDERED THAT:

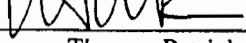
1. ASCAP's Application is dismissed with prejudice.
2. The supersedeas bond posted by Yahoo! in connection with this proceeding is released.

3. Each side is to bear its own attorneys' fees and costs incurred in connection with this proceeding.

4. This Stipulation and Order may be executed via facsimile and in counterpart copies.

Dated: New York, New York
December 15, 2011

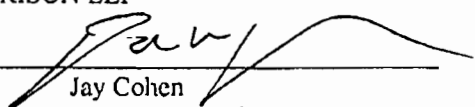
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Attorneys for Yahoo! Inc.

Dated: New York, New York
December 30, 2011

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

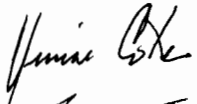
By 
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*Attorneys for the American Society of Composers,
Authors and Publishers*

So ordered.


January 5, 2012

SO ORDERED.

Dated: New York, New York
January __, 2012

Hon. Denise Cote
United States District Judge

